UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

JONATHAN AFLATOUNI,	§	
	§	
PLAINTIFF,	§	
	§	
V.	§	
	§	CIVIL ACTION NO. 4:11-cv-255
SELECT PORTFOLIO SERVICING,	§	
INC., SHAPIRO-SCHWARTZ, LLP,	§	
U.S. BANK NATIONAL ASSOCIATION,	§	
FIRST FRANKLIN FINANCIAL, CORP.,	§	
and MERIDIAS CAPITAL, INC.,	§	
	§	
DEFENDANTS.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On November 9, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motion for Summary Judgment (Dkt. 54) be GRANTED in its entirety, that Plaintiff take nothing by any of the claims raised against Defendants Select Portfolio Servicing, Inc. and U.S. Bank National Association, that those claims be dismissed with prejudice, and that Defendants Select Portfolio Servicing, Inc. and U.S. Bank National Association should be awarded their costs in accordance with Rule 54(b) of the Federal Rules of Civil Procedure. The Magistrate Judge further recommended that Plaintiff's claims against Defendant Meridias Capital, Inc. be dismissed without prejudice and that this matter be closed on the court's docket.

The court has made a *de novo* review of the objections raised by Plaintiff (see Dkt. 79) and

Defendants' response (see Dkt. 80) and is of the opinion that the findings and conclusions of the

Magistrate Judge are correct and the objections are without merit as to the ultimate findings of the

Magistrate Judge. The court hereby adopts the findings and conclusions of the Magistrate Judge as

the findings and conclusions of this court.

Therefore, Defendants' Motion for Summary Judgment (Dkt. 54) is GRANTED in its

entirety, Plaintiff shall take nothing by any of the claims raised against Defendants Select Portfolio

Servicing, Inc. and U.S. Bank National Association, those claims are dismissed with prejudice, and

Defendants Select Portfolio Servicing, Inc. and U.S. Bank National Association are awarded their

costs in accordance with Rule 54(b) of the Federal Rules of Civil Procedure. Further, Plaintiff's

claims against Defendant Meridias Capital, Inc. are dismissed without prejudice and this matter shall

be closed on the court's docket.

IT IS SO ORDERED.

SIGNED this the 18th day of March, 2013.

RICHARD A. SCHELL

UNITED STATES DISTRICT JUDGE

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